

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

STEVEN CRAIN,

Plaintiff,

vs.

CLARK COUNTY PUBLIC DEFENDER et al.,

Defendants.

2:09-cv-00283-RCJ-LRL

**ORDER**

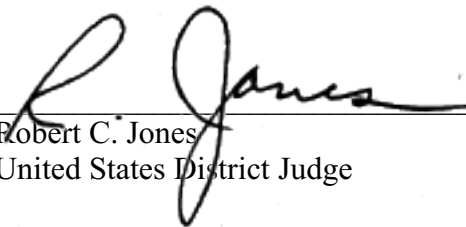
Plaintiff Steven Crain is a state parolee under lifetime supervision pursuant to convictions for one or more sexual offenses. He has filed the present action seeking direct review by this Court of: (1) the criminal proceedings against him in the District Court of Clark County; and (2) the review of those proceedings by the Nevada Supreme Court. This Court has no jurisdiction to entertain such appeals. He has identified no other cause of action against Defendants. The Hon. Lawrence R. Leavitt recommends in his Report & Recommendation (“R&R”) (#10) that the Court dismiss this case with prejudice for failure to state a claim. Plaintiff’s prior §1983 case against these same Defendants was dismissed by the Hon. Kent J. Dawson under Local Rule 7-2(d) for failure to respond to a dispositive motion. The gravamen of Plaintiff’s current “Petition” is that the provisions of his probation, parole, and/or lifetime supervision are unconstitutional. Plaintiff must file a petition for writ of habeas corpus to invoke this Court’s jurisdiction to vindicate such a claim. The present complaint is not such a petition, and if considered as one as currently pled, it would almost

1 certainly be denied. For example, there is no indication Plaintiff has filed for certiorari to the United  
2 States Supreme Court for direct review of his sentence.

3 **CONCLUSION**

4 IT IS HEREBY ORDERED that the Report & Recommendation is ADOPTED and the case  
5 is DISMISSED with prejudice for failure to state a claim.

6 DATED: December 8, 2009

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9 Robert C. Jones  
United States District Judge